

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 12858PERMIT 7618LICENSE 4990ORDER ALLOWING CHANGE IN PLACE OF USE AND CHANGE
IN CHARACTER OF USE

WHEREAS License 4990 was issued to Leland S. Gibbs and Lillian H. Gibbs and was filed with the County Recorder of Tuolumne County on March 25, 1958, and

WHEREAS said license was subsequently assigned to Gibbs Ranch Water Company, and

WHEREAS the State Water Rights Board has found that the change in place of use and change in character of use under said license for which petitions were submitted on February 18, 1966, and May 16, 1966, will not operate to the injury of any other legal user of water, and

WHEREAS the Board has approved and allowed said changes and has directed that an order be issued to describe said place of use and character of use in accordance with said petitions;

NOW THEREFORE IT IS ORDERED that permission be and the same is hereby granted to change the place of use under said License 4990 to a place of use described as follows, to wit:

IRRIGATION AS FOLLOWS:

15 ACRES WITHIN $SE\frac{1}{4}$ OF $SW\frac{1}{4}$ OF SECTION 26, T2N, R14E, MDB&M
5 ACRES WITHIN $SW\frac{1}{4}$ OF $SW\frac{1}{4}$ OF SECTION 26, T2N, R14E, MDB&M
6 ACRES WITHIN $SW\frac{1}{4}$ OF $SE\frac{1}{4}$ OF SECTION 26, T2N, R14E, MDB&M
1 ACRE WITHIN $SE\frac{1}{4}$ OF $SE\frac{1}{4}$ OF SECTION 26, T2N, R14E, MDB&M
1 ACRE WITHIN $NE\frac{1}{4}$ OF $NW\frac{1}{4}$ OF SECTION 35, T2N, R14E, MDB&M
10 ACRES WITHIN $NW\frac{1}{4}$ OF $NW\frac{1}{4}$ OF SECTION 35, T2N, R14E, MDB&M
16 ACRES WITHIN $SW\frac{1}{4}$ OF $NW\frac{1}{4}$ OF SECTION 35, T2N, R14E, MDB&M
54 ACRES TOTAL IRRIGATION

MUNICIPAL USE WITHIN SECTIONS 26 AND 35, T2N, R14E, MDB&M,
AS OUTLINED ON MAP FILED WITH THE STATE WATER RIGHTS BOARD
ON MAY 18, 1966, and

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STATE OF CALIFORNIA—RESOURCES AGENCY
STATE WATER RIGHTS BOARD

ORDER

APPLICATION 12858

PERMIT 7618

LICENSE 4990

IT IS FURTHER ORDERED that permission be and the same is hereby granted to change the character of use under said License 4990 to character of use as follows, to wit:

MUNICIPAL, IRRIGATION AND STOCKWATERING

Dated: SEP 2 1966

L. K. Hill
L. K. Hill
Executive Officer

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STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 12858

PERMIT 7618

LICENSE 4990

THIS IS TO CERTIFY, That

Leland S. Gibbs and Lillian H. Gibbs
Route 1, Box 671
Sonora, California

Notice of Assignment (Over)

have made proof as of July 23, 1957
(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
an unnamed gulch in Tuolumne County

tributary to Peppermint Creek

for the purpose of irrigation use
under Permit 7618 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from December 14, 1948;
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed five (5) acre-feet per annum
by storage to be collected from about October 1 of each year to about April 1 of the
succeeding year.

The point of diversion of such water is located north one thousand nine hundred eighteen
(1918) feet and east one hundred eighty (180) feet from S $\frac{1}{4}$ corner of Section 26, T2N,
R14E, MDB&M, being within NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 26.

Description of the lands or the place where such water is put to beneficial use is as follows:

3 acres in NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26, T2N, R14E, MDB&M
3 acres in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 26, T2N, R14E, MDB&M
6 acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 26, T2N, R14E, MDB&M
12 acres total

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: MAR 24 '58

STATE WATER RIGHTS BOARD

By Leslie C. Johnson
LESLIE C. JOHNSON
Chief Engineer

2-17-66 Int. of Leland S. Gibbs Transferred to
Estate of Leland S. Gibbs;

2-17-66 RECEIVED NOTICE OF ASSIGNMENT TO Gibbs Ranch Waters Co;

LICENSE 4990

STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

Leland S. Gibbs and
Lillian H. Gibbs

MAR 24 1958

DATED

54170 4-57 5M ① SPO